

Panaji, 11th May, 1978 (Vaisaka 21, 1900)

SERIES I No. 6

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Home Department (General)

Notification

HD(T)/8-19/77

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Rules, 1965 is hereby pre-published as required by sub-section (1) of section 133 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Home Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

DRAFT AMENDMENT

In exercise of the powers conferred by clause (gg) of sub-section (2) of section 68 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Motor Vehicles (..... Amendment) Rules, 1978.

(2) They shall come into force at once.

2. *Amendment of rule 4.14.*—In rule 4.14 of the Goa, Daman and Diu Motor Vehicles Rules, 1965 after sub-rule (2), the following sub-rule and explanations shall be inserted, namely:—

“(3) Notwithstanding anything contained in sub-rules (1) and (2), the fees for grant or renewal of permits shall be charged at half the rate to the persons belonging to Scheduled Castes and Scheduled Tribes.

Explanation 1.—For the purpose of this sub-rule, “Scheduled Castes” means such castes, races or tribes or parts of or groups within such castes, races or tribes, as are deemed to be Scheduled Castes in relation to the Union territory of Goa, Daman and Diu under article 341 of the Constitution of India.

Explanation 2.—For the purpose of this sub-rule, “Scheduled Tribes” means such tribes or tribal communities or parts of or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the Union territory of Goa, Daman and Diu under article 342 of the Constitution of India.”

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Home).

Panaji, 28th April, 1978.

Local Administration and Welfare Department

ORDER

7-15/78/FCS-LAWD

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with Order No. 681(E) dated 30-11-1974, the Administrator of Goa, Daman and Diu hereby makes the following Order, so as to amend the Goa, Daman and Diu Cement Dealers Licensing Order, 1978 namely:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Goa, Daman and Diu Cement Dealers Licensing (Amendment) Order, 1978.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force at once.

2. *Amendment of clause 2.*—In clause 2 of the Goa, Daman and Diu Cement Dealers Licensing Order, 1978, for sub-clause (b), the following shall be substituted, namely:—“(b) “Cement” means any variety of cement manufactured in India or imported into India and includes portland pozzolana cement, blast furnace slag cement, rapid hardening cement and low heat cement, but does not

include oil well cement water proof (Hydrophobic) cement, white cement and coloured cement (other than grey portland cement), and grey cement of specific surface not less than 3500 cm. 2/G;

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 5th May, 1978.

Notification

6-2-77-LSG(15)

The following draft rules namely the Probation of Offenders' Rules, 1978, which are proposed to be made in exercise of the powers conferred by sub-section (1) of section 17 of the Probation of Offenders' Act, 1958 (Central Act 20 of 1958) are hereby pre-published as required by sub-section (3) of section 17 of the said Act for information of the persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft Rules may be forwarded to the Under Secretary to the Government of Goa, Daman and Diu, Local Administration and Welfare Department, Secretariat, Panaji before the expiry of thirty days from the date of publication of this Notification in the Official Gazette, so that they may be taken into consideration at the time of finalisation of these Rules.

DRAFT RULES

In exercise of the powers conferred by sub-section (1) of Section 17 of the Probation of Offenders' Act, (Central Act 20 of 1958) as applicable to the Union territory of Goa, Daman and Diu and all other powers enabling him in that behalf and with prior approval of the Central Government the Lieutenant Governor of Goa, Daman and Diu hereby makes the following Rules so as to amend the Goa, Daman and Diu Probation of Offenders' Rules, 1974, namely:—

1. *Short title and commencement.*— (1) These Rules may be called the Goa, Daman and Diu Probation of Offenders (Amendment) Rules, 1978.

(2) They shall come into force at once.

2. *Amendment of Rule 31.*— For sub-rule (1) of Rule 31 of the Goa, Daman and Diu Probation of Offenders' Rules, 1974, the following shall be substituted, namely:—

“(1) When a Probation Officer is, for reasons to be recorded in writing, of the opinion that it is necessary or desirable for a Probationer to reside in any institution or other premises referred to in rule 30 on the ground that the Probationer has no fixed abode or no abode suitable for due supervision, or that his home surroundings are not suitable for achieving the object of probation or the object of probation would be better served by his staying in such

institution or premises, the Probationer may be asked to reside therein.”

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 25th April, 1978.

Notification

In exercise of the powers conferred by Section 50 read with Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (12 of 1968) the Goa, Daman and Diu Housing Board, Panaji with the prior approval of the Government of Goa, Daman and Diu hereby makes the following Regulations: so as to amend the Goa, Daman and Diu Housing Board (Allotment of Dwelling Units under the slum clearance/improvement scheme) Regulations, 1977 (hereinafter called “the Principal Regulations” namely:—

For the Form ‘A’ appended to the Principal Regulations the following shall be substituted, namely:—

FORM — A

Goa, Daman and Diu Housing Board Slum Clearance Scheme— Slum Census Form

I. Identification

- 1.1. Name of the slum ...
- 1.2. Village/Town ...
- 1.3. Taluka ...
- 1.4. Sl. No. of the form ...
- 1.5. Date of Census ...

II. Details of the Slum household

- 2.1. (a) House/hutment No. ...
(b) Household No. ...
- 2.2. Owner of the house/hutment ...
- 2.3. Area of house/hutment ...
- 2.4. Type of house/hutment
(a) Walls ...
(b) Roof ...
- 2.5. Name of the head of the household occupying the house/hutment ...
- 2.6. Month/year since when occupying ...
- 2.7. Particulars of the member of the household occupying the house/hutment:—

Sl. No.	Name (including the head of the family)	Relation to head	Age	Sex	Level of education	Profession occupation	Average monthly income Rs.
1	2	3	4	5	6	7	8
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

2.8. Other relevant details of the family

- i) Religion ...
- ii) Mother tongue ...
- iii) Native state and district ...
- iv) Type of house/hutment at native place ...
- v) Last place of residence before coming to this slum ...
- vi) Last place of residence before coming to Goa ...

(...)

Name and signature of the
Census enumerator.Signature of the Director
Bureau of Economics, Sta-
tistics and Evaluation or
his authorised representa-
tive.

III. Resettlement Particulars bold

3.1. Resettlement area

Place/Road ...

Village/Town ...

Taluka ...

Photograph of the
re-settled family

3.2. No. of allotted tenement/plot ...

3.3. Date of occupation ...

3.4. Monthly rent ...

3.5. Sr. No. and names (from 2-7 above) of persons
resettled

Sr. No.	Name
---------	------

...
Name and signature or left-
hand thumb impression of
the head of house hold or
his/her representative....
Signature of the Chairman,
of the Goa, Daman & Diu
Housing Board, or his re-
presentative.M. S. Talaulicar,
Chairman of Housing Board.

Panaji, 22nd April, 1978.

Directorate of Municipal Administration

Notification

DMA/69/77-78/STAFF/PAN

In exercise of the powers conferred by Section 73(2) (b) of the Goa, Daman and Diu Municipalities Act, 1968 and all other powers enabling me in this behalf, I, Shri V. V. Mongia, Director of Municipal Administration, make the following rules so as to amend the Goa, Daman and Diu Municipalities Class III and Class IV (Ministerial and non-ministerial non-Gazetted) posts Recruitment Rules, 1975, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Municipalities Group 'C' and Group 'D' (Ministerial and Non-Ministerial, Non-Gazetted) posts Recruitment (2nd Amendment) Rules, 1978.

(2) They shall come into force at once.

2. *Amendment of the short title of the above Rules.*—The words "Class III and Class IV" appearing after the words "Municipalities" shall be substituted by the words "Group 'C' and Group 'D'".

3. *Amendment of schedule attached to the above rules.*—Under Column 12 of the said schedule, the composition of the DPC/DSC shall be as follows:—

- i) The President of the concerned Municipal Council.
- ii) Additional Director of Municipal Administration.
- iii) The Chief Officer of the concerned Municipal Council.

The above D. P. C. shall also be applicable for any other Group 'C' and 'D' posts existing in the Municipal Council and which are not shown in the above schedule.

V. V. Mongia, Director of Municipal Administration.

Panaji, 14th April, 1978.

Industries and Labour Department

Notification

IPD-10264-76

In exercise of the powers conferred by section 14 read with Section 19 of the Goa, Daman and Diu Barge Tax Act, 1973 (Act No. 10 of 1973), the Government of Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Barge Tax Rules, 1975, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Goa, Daman and Diu Barge Tax (Amendment) Rules, 1978.

(2) They shall come into force at once.

2. *Amendment of rule 2.*—In rule 2 of the Goa, Daman and Diu Barge Tax Rules, 1965 (hereinafter called the "Principal Rules"), after clause (a), the following shall be inserted, namely:—

"(aa) "Administrative Tribunal" means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act No. 6 of 1965);"

3. *Amendment of rule 10.*—In rule 10, sub-rule (1) of the Principal Rules, for the word and figure "section 16", the word and figures "section 11" shall be substituted.

4. *Insertion of new rules.*—After rule 17 of the Principal Rules, the following rules shall be inserted, namely:—

"18. *Appeal.*—(1) Every appeal under section 14 of the Act shall be made in the form of petition addressed to the Administrative Tribunal and the decision of the said Administrative Tribunal thereon shall be final.

(2) The petition of appeal shall be presented in person or through a legal practitioner or a recognised agent or may be sent by registered post.

(3) Every petition shall state succinctly the grounds on which the order appealed from is attacked and shall bear the signature or thumb impression of the appellant or applicant and shall also contain a brief statement of facts on which the appellant or applicant relies in support of his appeal or petition and the grounds of his objection to the order against which the appeal or petition is made. It shall further be accompanied by necessary document in proof of payment of tax and the penalty, if any, and that may be due as per the order passed by the Taxation Authority or any other officer or authority under the Act.

19. Limitation. — (1) Every petition of appeal shall be filed within sixty days of the date of the order appealed against.

(2) In computing the period of limitation, the provisions of sections 4, 5 and 12 of the Limitation Act, 1963 shall, so far as they are applicable, apply to all the petitions of appeal or application.

20. Court Fee. — Every memorandum of appeal or application to the Administrative Tribunal made under the Act, shall bear a Court Fee Stamp of Rs. 50/-.

21. Fees for copies. — (1) The following fee shall be payable by person desirous of obtaining any copy from the records maintained under the Act and the Rules.

- | | |
|---|---------|
| (a) certificates of receipt of cash or duplicate copy of challan ... | Rs. 2/- |
| (b) copy of final original order passed by the taxation authority or any other officer or authority under the Act ... | Rs. 5/- |
| (c) copy of final order passed on appeal ... | Rs. 5/- |
| (d) copy of any application, objection, petition, affidavit or statement made by a party or witness | Rs. 5/- |

(2) The fee payable under this rule may be paid in such manner as the Government may from time to time determine. Pending such determination, the fee may be paid in the form of court fee stamps.

22. Procedure to be followed by the Administrative Tribunal in deciding appeals. — The Administrative Tribunal in deciding appeal under the Act shall have the same powers and shall follow the same procedure provided for in this behalf in the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act No. 6 of 1965) as if the appeal was filed under the said Act.

23. Savings. — These rules shall also apply to all the appeals pending immediately before the commencement of the Goa, Daman and Diu Barge Tax (Amendment) Rules, 1978 and the require-

ments, if any, to be carried out in accordance with these rules shall be complied with by the appellant within thirty days from the date of coming into force of the said Rules."

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary, Industries and Labour.

Panaji, 28th April, 1978.

Law Department (Legal Advice)

Notification

LD/Bill/9/78

The following Act which was passed by the Legislative Assembly and assented to by the Administrator of Goa, Daman and Diu on 28-4-78 is hereby published for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 5th May, 1978.

THE GOA, DAMAN AND DIU APPROPRIATION ACT, 1978

(Act No. 6 of 1978) [28th April, 1978]

An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services and purposes of the financial year 1978-79.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-ninth Year of the Republic of India as follows:

1. Short title. — This Act may be called the Goa, Daman and Diu Appropriation Act, 1978.

2. Issue of Rs. 78,79,66,000 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the financial year 1978-79. — From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, there may be paid and applied sums not exceeding those specified in column 5 of the Schedule, amounting in the aggregate [inclusive of the sums specified in column 5 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1978 (Bill No. 8 of 1978)] to the sum of seventy eight crores seventy nine lakhs and sixty six thousand rupees, towards defraying the several charges which will arise for payment during the financial year 1978-79 in respect of the services and purposes specified in column 2 of the Schedule.

3. Appropriation. — The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

THE SCHEDULE
(See Sections 2 and 3)

No. of Demand	Services and purposes	Sums not exceeding		
		Voted by Assembly	Charged on the Consolidated Fund of the Union territory of Goa, Daman and Diu	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	Union Territory Legislature and Elections—			
	Revenue ...	7,74,000	35,000	8,09,000
2.	Miscellaneous General Services—			
	Revenue ...	98,06,000	4,56,000	1,02,62,000
3.	Administration of Justice—			
	Revenue ...	19,50,000	4,80,000	24,30,000
4.	Land Revenue, Stamps and Registration—			
	Revenue ...	15,40,000	—	15,40,000
5.	State Excise, Sales Tax and Other Tax and Duties—			
	Revenue ...	26,15,000	—	26,15,000
6.	Taxes on Vehicles—			
	Revenue ...	5,00,000	—	5,00,000
—	Interest Payment—			
	Revenue ...	—	4,46,63,000	4,46,63,000
7.	Police and Fire Services—			
	Revenue ...	1,53,50,000	—	1,53,50,000
8.	Jails—			
	Revenue ...	11,50,000	—	11,50,000
9.	Stationery and Printing—			
	Revenue ...	28,00,000	—	28,00,000
10.	Other General Services—			
	Revenue ...	6,37,000	—	6,37,000
11.	Pension—			
	Revenue ...	76,00,000	—	76,00,000
12.	Public Works, Housing and Urban Development—			
	Revenue ...	2,56,40,000	65,000	2,57,05,000
	Capital (including Loans) ...	2,68,59,000	—	2,68,59,000
	Total ...	5,24,99,000	65,000	5,25,64,000
13.	Roads and Bridges—			
	Revenue ...	1,09,00,000	—	1,09,00,000
	Capital ...	1,93,30,000	—	1,93,30,000
	Total ...	3,02,30,000	—	3,02,30,000
14.	Education, Art and Culture—			
	Revenue ...	9,40,56,000	—	9,40,56,000
	Capital (including Loans) ...	28,18,000	—	28,18,000
	Total ...	9,68,74,000	—	9,68,74,000

1	2	3	4	5
		Rs.	Rs.	Rs.
15.	Medical, Family Welfare and Public Health, Sanitation and Water Supply—			
	Revenue ...	6,17,54,000	—	6,17,54,000
	Capital ...	2,13,00,000	—	2,13,00,000
	Total ...	8,30,54,000	—	8,30,54,000
16.	Information and Publicity—			
	Revenue ...	13,25,000	—	13,25,000
17.	Labour and Employment—			
	Revenue ...	27,70,000	—	27,70,000
18.	Social Security and Welfare, Relief on account of Natural Calamities and Food			
	Revenue ...	59,26,000	—	59,26,000
	Capital (including Loans) ...	9,03,15,000	—	9,03,15,000
	Total ...	9,62,41,000	—	9,62,41,000
19.	Cooperation and Community Development—			
	Revenue ...	77,14,000	—	77,14,000
	Capital (including Loans) ...	42,11,000	—	42,11,000
	Total ...	1,19,25,000	—	1,19,25,000
20.	Other Economic Services and Mines and Minerals—			
	Revenue ...	21,00,000	—	21,00,000
21.	Agriculture and Allied Services—			
	Revenue ...	3,70,93,000	—	3,70,93,000
	Capital (including Loans) ...	3,27,40,000	—	3,27,40,000
	Total ...	6,98,33,000	—	6,98,33,000
22.	Irrigation and Power Projects—			
	Revenue ...	5,15,47,000	—	5,15,47,000
	Capital ...	10,71,97,000	—	10,71,97,000
	Total ...	15,87,44,000	—	15,87,44,000
23.	Industries—			
	Revenue ...	93,35,000	—	93,35,000
	Capital (including Loans) ...	68,45,000	—	68,45,000
	Total ...	1,61,80,000	—	1,61,80,000
24.	Road and Water Transport Services (including Ports)—			
	Revenue ...	56,08,000	—	56,08,000
	Capital ...	11,02,000	—	11,02,000
	Total ...	67,10,000	—	67,10,000

1	2	3	4	5
		Rs.	Rs.	Rs.
25. Tourism —				
Revenue ...	28,04,000	—	28,04,000	
Capital (including Loans) ...	59,01,000	—	59,01,000	
Total ...	87,05,000	—	87,05,000	
— Public Debt —				
Capital (Public Debt) ...	—	5,62,06,000	5,62,06,000	
26. Loans and Advances by the Union Territory Governments—				
Capital (Loans and Advances) ...	41,49,000	—	41,49,000	
GRAND TOTAL ...	68,60,61,000	10,19,05,000	78,79,66,000	
Revenue ...	36,32,94,000	4,56,99,000	40,89,93,000	
Capital (including Public Debt and Loans) ...	32,27,67,000	5,62,06,000	37,89,73,000	

AN
ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services and purposes of the Financial Year, 1978-79.

Secretariat,

Panaji,

28th April, 1978.

K. C. D. GANGWANI

Secretary to the Government of
Goa, Daman and Diu.
Law Department (Legal Advice).

Notification

LD/773/78

The following Central Acts namely: 1. The Payment of Bonus (Amendment) Act, 1977 (Act No. 43 of 1977) 2. The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1977 (Act No. 44 of 1977) 3. The Appropriation (No. 4) Act 1977 (Act No. 45 of 1977) which were recently passed by the Parliament and assented to by the President of India on 24-12-77 and published in the Gazette of India, Part II, Section I dated 24-12-77 are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 13th February, 1978.

The Payment of Bonus (Amendment) Act, 1977

AN
ACT

further to amend the Payment of Bonus Act, 1965.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Payment of Bonus (Amendment) Act, 1977.

(2) It shall be deemed to have come into force on the 3rd day of September, 1977.

2. *Act 21 of 1965 to have modified effect for a particular period.*—The Payment of Bonus Act, 1965 (hereinafter referred to as the principal Act) shall,—

(a) in relation to a factory or other establishment to which the principal Act applies immediately before the commencement of this Act; and

(b) in relation to a banking company and the Industrial Reconstruction Corporation of India to which the principal Act applies on and from such commencement by virtue of this Act,

have effect in respect of the accounting year commencing on any day in the year 1976 as if the amendments specified in sections 3 to 20 had been made in that Act.

Explanation.—In this section, the expressions “banking company” and “accounting year” shall have the meanings respectively assigned to them in clauses (8) and (1) of section 2 of the principal Act.

3. *Substitution of long title.*—In the principal Act, for the long title, the following long title shall be substituted, namely:—

“An Act to provide for the payment of bonus to persons employed in certain establishments and for matters connected therewith.”

4. *Amendment of section 2.*—In section 2 of the principal Act, in sub-clause (a) of clause (4), after the words “being a company”, the brackets and words “(other than a banking company)” shall be inserted.

5. *Substitution of new section for section 4.*—For section 4 of the principal Act, the following section shall be substituted, namely:—

“4. *Computation of gross profits.*—The gross profits derived by an employer from an establishment in respect of the accounting year shall—

(a) in the case of a banking company, be calculated in the manner specified in the First Schedule;

(b) in any other case, be calculated in the manner specified in the Second Schedule.”

6. *Amendment of section 6.*—In section 6 of the principal Act,—

(a) in clause (b), for the words “development rebate or development allowance”, the words “development rebate or investment allowance or development allowance” shall be substituted;

(b) in clause (d), for the words “Second Schedule”, the words “Third Schedule” shall be substituted.

7. *Amendment of section 7.*—In section 7 of the principal Act, in clause (e), for the brackets and words “(other than development rebate or development allowance)”, the brackets and words “(other than development rebate or investment allowance or development allowance)” shall be substituted.

8. *Amendment of section 10.* — In section 10 of the principal Act, —

(a) after sub-section (2), the following sub-section shall be inserted, namely: —

“(2A) Notwithstanding anything contained in sub-section (1) regarding the payment of minimum bonus, but subject to the other provisions of this Act, every employer shall be bound to pay to every employee a minimum bonus which shall be 8.33 per cent of the salary or wage earned by the employee during the accounting year or one hundred rupees, whichever is higher, whether or not the employer has any allocable surplus in the accounting year:

Provided that where an employee has not completed fifteen years of age at the beginning of the accounting year, the provisions of this sub-section shall have effect in relation to such employee as if for the words “one hundred rupees”, the words “sixty rupees” were substituted.”;

(b) in sub-section (3), for the words “Third Schedule”, the words “Fourth Schedule” shall be substituted.

9. *Amendment of section.* — In section 15 of the principal Act, for the words “Third Schedule” wherever they occur, the words “Fourth Schedule” shall be substituted.

10. *Amendment of section 16.* — In section 16 of the principal Act, in sub-section (1B), for the words “Third Schedule” at both the places where they occur, the words “Fourth Schedule” shall be substituted.

11. *Amendment of section 21.* — In section 21 of the principal Act, in the *Explanation*, for the words and figures “sections 22, 23 and 25”, the words and figures “sections 22, 23, 24 and 25” shall be substituted.

12. *Amendment of section 23.* — In section 23 of the principal Act, in sub-section (1), for the word and figures “section 25”, the words and figures “sections 24 and 25” shall be substituted.

13. *Insertion of new section 24.* — After section 23 of the principal Act, the following section shall be inserted, namely: —

“24. *Audited accounts of banking companies not to be questioned.* — (1) Where any dispute of the nature specified in section 22 between an employer, being a banking company, and its employees has been referred to the said authority under that section and during the course of proceedings the accounts of the banking company duly audited are produced before it, the said authority shall not permit any trade union or employees to question the correctness of such accounts, but the trade union or the employees may be permitted to obtain from the banking company such information as is necessary for verifying the amount of bonus due under this Act.

(2) Nothing contained in sub-section (1) shall enable the trade union or the employees to obtain any information which the banking company is

not compelled to furnish under the provisions of section 34A of the Banking Regulation Act, 1949.”.

10 of 1949.

14. *Amendment of section 27.* — In section 27 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely: —

“(5) Nothing contained in this section shall enable an Inspector to require a banking company to furnish or disclose any statement or information or to produce, or give inspection of, any of its books of account or other documents, which a banking company cannot be compelled to furnish, disclose, produce or give inspection of, under the provisions of section 34A of the Banking Regulation Act, 1949.”.

10 of 1949.

15. *Amendment of section 31A.* — In section 31A of the principal Act, in the proviso, for the words “Provided that”, the words “Provided further that” shall be substituted and before the proviso as so amended, the following proviso shall be inserted, namely: —

“Provided that any such agreement or settlement whereby the employees relinquish their right to receive the minimum bonus under sub-section (2A) of section 10 shall be null and void in so far as it purports to deprive them of such right.”.

16. *Amendment of section 32.* — In section 32 of the principal Act, —

(a) clause (vii) shall be omitted;

(b) in clause (ix), —

(i) sub-clause (ff) shall be omitted;

(ii) in sub-clause (g), after the words “financial institution”, the brackets and words “(other than a banking company)” shall be inserted.

17. *Substitution of new sections for section 34.* — For section 34 of the principal Act, the following sections shall be substituted, namely: —

“34. *Employees and employers not to be precluded from entering into agreements for grant of bonus under a different formula.* — Nothing contained in this Act shall be construed to preclude employees employed in any establishment or class of establishments from entering into agreement with their employer for granting them an amount of bonus under a formula which is different from that under this Act:

Provided that no such agreement shall have effect unless it is entered into with the previous approval of the appropriate Government:

Provided further that any such agreement whereby the employees relinquish their right to receive the minimum bonus under sub-section (2A) of section 10 shall be null and void in so far as it purports to deprive them of such right:

Provided also that such employees shall not be entitled to be paid bonus in excess of —

(a) 8.33 per cent. of the salary or wage earned by them during the accounting year if the employer has no allocable surplus in the accounting year or the amount of such allocable surplus is

only so much that, but for the provisions of sub-section (2A) of section 10, it would entitle the employees only to receive an amount of bonus which is less than the aforesaid percentage; or

(b) twenty per cent. of the salary or wage earned by them during the accounting year.

34A. *Effect of laws and agreements inconsistent with the Act.*—Subject to the provisions of sections 31A and 34, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement, settlement or contract of service.”

18. *Amendment of the First Schedule.*—In the principal Act, the First Schedule shall be renumbered as the Second Schedule and,—

(a) in that Schedule as so renumbered —

(i) for the brackets, words and figures “(See section 4)”, the brackets, words, figure and letter “[See section 4 (b)]” shall be substituted;

(ii) in column (2), against Item No. 2, for the entry “(d) Development rebate/Development allowance reserve.”, the entry “(d) Development rebate/Investment allowance/Development allowance reserve.” shall be substituted;

(b) before that Schedule as so renumbered, the following Schedule shall be inserted, namely:—

‘THE FIRST SCHEDULE

[See section 4(a)]

Computation of Gross Profits

Accounting Year ending

Item No.	Particulars	Amount of		Remarks
		sub-items	main items	
		Rs.	Rs.	
*1.	Net Profit as shown in the Profit and Loss Account after making usual and necessary provisions.			
2.	Add back provision for:			
	(a) Bonus to employees.			
	(b) Depreciation.			
	(c) Development Rebate Reserve.			See footnote (1)
	(d) Any other reserves.			See footnote (1)
	Total of Item No. 2	Rs.		
3.	Add back also:			
	(a) Bonus paid to employees, in respect of previous accounting years.			See footnote (1)
	(b) The amount debited in respect of gratuity paid or payable to employees in excess of the aggregate of—			
	(i) the amount, if any, paid to, or provided			

* Where the profit subject to taxation is shown in the Profit and Loss Account and the provision made for taxes on income is shown, the actual provision for taxes on income shall be deducted from the profit.

Item No.	Particulars	Amount of		Remarks
		sub-items	main items	
		Rs.	Rs.	
	for payment to, an approved gratuity fund; and			
	(ii) the amount actually paid to employees on their retirement or on termination of their employment for any reason.			
(c)	Donations in excess of the amount admissible for income-tax.			
(d)	Capital expenditure (other than capital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct taxes) and capital losses (other than losses on sale of capital assets on which depreciation has been allowed for income-tax).			See footnote (1)
(e)	Any amount certified by the Reserve Bank of India in terms of sub-section (2) of section 34A of the Banking Regulation Act, 1949.			10 of 1949.
(f)	Losses of, or expenditure relating to, any business situated outside India.			
	Total of Item No. 3	Rs.		
4.	Add also income, profits or gains (if any) credited directly to published or disclosed reserves, other than —			
	(i) capital receipts and capital profits (including profits on the sale of capital assets on which depreciation has not been allowed for income-tax);			
	(ii) profits of, and receipts relating to, any business situated outside India;			
	(iii) income of foreign banking companies from investments outside India.			
	Net total of Item No. 4	Rs.		
5.	Total of Item Nos. 1, 2, 3 and 4.	Rs.		
6.	Deduct:			
	(a) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax).			See footnote (2)
	(b) Profits of, and receipts relating to, any business situated outside India.			See footnote (2)

Item No	Particulars	Amount of sub-items	Amount of main items	Remarks
		Rs.	Rs.	
(c)	Income of foreign banking companies from investments outside India.			See foot-note (2)
(d)	Expenditure or losses (if any) debited directly to published or disclosed reserves, other than —			
	(i) capital expenditure and capital losses (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax);			
	(ii) losses of any business situated outside India.			
(e)	In the case of foreign banking companies proportionate administrative (overhead) expenses of Head Office allocable to Indian business.			See foot-note (3)
(f)	Refund of any excess direct tax paid for previous accounting years and excess provision, if any, of previous accounting years relating to bonus, depreciation, or development rebate, if written back.			See foot-note (2)
(g)	Cash subsidy, if any, given by the Government or by any body corporate established by any law for the time being in force or by any other agency through budgetary grants, whether given directly or through any agency for specified purposes and the proceeds of which are reserved for such purposes.			See foot-note (2)
	Total of Item No. 6	Rs.		
7.	Gross profits for purposes of bonus (Item No. 5 minus Item No. 6)			

Explanation. — In sub-item (b) of item 3, "approved gratuity fund" has the same meaning assigned to it in clause (5) of section 2 of the Income-tax Act.

Foot-notes —

- (1) If, and to the extent, charged to Profit and Loss Account.
- (2) If, and to the extent, credited to Profit and Loss Account.
- (3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per Consolidated Profit and Loss Account, adjusted as in Item No. 2 above only).

19. Amendment of the Second Schedule. — In the principal Act, the Second Schedule shall be renumbered as the Third Schedule and in that Schedule as so renumbered, —

(a) in column (2), against Item No. I, for the word "Company", the words "Company, other than a banking company" shall be substituted;

(b) after Item No. I and the entries relating thereto, the following item and entries shall be inserted, namely: —

(1)	(2)	(3)
"2. Banking company (i)	The dividends payable on its preference share capital for the accounting year calculated at the rate at which such dividends are payable;	
(ii)	7.5 per cent. of its paid up equity share capital as at the commencement of the accounting year;	
(iii)	5 per cent of its reserves shown in its balance-sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year;	
(iv)	any sum which, in respect of the accounting year, is transferred by it —	
	(a) to a reserve fund under sub-section (I) of section 17 of the Banking Regulation Act, 1949; or 10 of 1949.	
	(b) to any reserves in India in pursuance of any direction or advice given by the Reserve Bank of India,	
	whichever is higher:	
	Provided that where the banking company is a foreign company within the meaning of section 591 of the Companies Act, 1956, the amount to be deducted under this Item shall be the aggregate of —	1 of 1956.
	(i) the dividends payable to its preference shareholders for the accounting year at the rate at which such dividends are payable on such amount as bears the same proportion to its total preference share capital as its total working funds in India bear to its total world working funds;	
	(ii) 7.5 per cent. of such amount as bears the same proportion to its total paid up equity share capital as its total working funds in India bear to its total world working funds;	
	(iii) 5 per cent. of such amount as bears the same proportion to its total disclosed reserves as its total working funds in India bear to its total world working funds;	

(1)	(2)	(3)
		(iv) any sum which, in respect of the accounting year, is deposited by it with the Reserve Bank of India under sub-clause (ii) of clause (b) of sub-section (2) of section II of the Banking Regulation Act, 1949, not exceeding the amount required under the aforesaid provision to be so deposited.";
		10 of 1949.

(c) in the *Explanation*, for the figures, brackets and word "1(iii) and 3(ii)", the figures, brackets and word "1(iii), 2(iii) and 3(ii)" shall be substituted.

20. *Amendment of the Third Schedule.* — In the principal Act, the Third Schedule shall be renumbered as the Fourth Schedule.

21. *Repeal and saving.* — (1) The Payment of Bonus (Amendment) Ordinance, 1977 is hereby repealed. 9 of 1977

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, by virtue of the amendments thereto made by the said Ordinance, shall be deemed to have been done or taken under the principal Act by virtue of the corresponding amendments thereto made by this Act.

The Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1977

AN
ACT

to amend the Requisitioning and Acquisition of Immovable Property Act, 1952.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.* — This Act may be called the Requisitioning and Acquisition of Immovable Property (Amendment) Act, 1977.

2. *Insertion of new section 26.* — In the Requisitioning and Acquisition of Immovable Property Act, 1952 (hereinafter referred to as the principal Act), after section 25, the following section shall be inserted and shall be deemed to have been inserted with effect on and from the 21st day of March, 1977, namely:— 30 of 1952.

26. *Special provision as to certain requisitions under Act 42 of 1971.* — (1) Notwithstanding anything contained in this Act, any immovable property requisitioned or purported to have been requisitioned by the Central Government or by any

officer or authority to whom powers in this behalf have been delegated by that Government, under the Defence of India Act, 1971, and the rules made thereunder (including any immovable property deemed to have been requisitioned under the said Act), which has not been released from such requisition before the appointed day, shall,—

(i) if such property was requisitioned on or before the 21st day of March, 1977, as from that date, and

(ii) if such property was requisitioned at any time after such date, as from the date of its requisition,

be deemed to have been requisitioned by the competent authority under the provisions of this Act for the purpose for which such property was held immediately before the appointed day and all the provisions of this Act shall apply accordingly:

Provided that in determining the compensation payable under this Act in respect of any property so deemed to have been requisitioned under this Act, the sum or sums, if any, as may be found necessary to compensate the person interested for all or any of the matters specified in clause (b) of sub-section (2) of section 8 shall be reduced by the sum or sums, if any, paid or payable in respect of such matter or matters as compensation in respect of such property under the Defence of India Act, 1971, and the rules made thereunder.

(2) Save as otherwise provided in sub-section (1), the provisions of the Defence of India Act, 1971, and the rules made thereunder, in so far as those provisions relate to the requisitioning of any such immovable property as is referred to in sub-section (1), shall, as from the 21st March, 1977, cease to operate except as respects things done or omitted to be done before such cesser and section 6 of the General Clauses Act, 1897, shall apply upon such cesser of operation as if such cesser were a repeal of an enactment by a Central Act. 10 of 1897.

Explanation. — In this section, "appointed day" means the 23rd September, 1977.

3. *Repeal and saving.* — (1) The Requisitioning and Acquisition of Immovable Property (Amendment) Ordinance, 1977, is hereby repealed. Ord. 12 of 1977.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

The Appropriation (No. 4) Act, 1977

AN
ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1977-78.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Appropriation (No. 4) Act, 1977.

2. *Issue of Rs. 942,37,71,000 out of the Consolidated Fund of India for the year 1977-78.*—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of nine hundred

and forty-two crores, thirty-seven lakhs and seventy-one thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1977-78, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
2	Agriculture Revenue	10,00,00,000	...	10,00,00,000
	Capital	25,00,00,000	25,00,00,000
5	Forest Revenue	1,00,000	...	1,00,000
7	Department of Rural Development Revenue	20,00,00,000	83,000	20,00,83,000
12	Chemicals and Fertilizers Industries Revenue	25,01,86,000	...	25,01,86,000
	Capital	3,01,89,000	...	3,01,89,000
16	Foreign Trade and Export Production Revenue	29,00,00,000	32,000	29,00,32,000
	Capital	139,87,00,000	...	139,87,00,000
32	Power Development Revenue	6,11,01,000	...	6,11,01,000
	Capital	117,80,00,000	...	117,80,00,000
34	Ministry of External Affairs Capital	5,38,00,000	...	5,38,00,000
40	Transfers to State and Union Territory Govern- ments Revenue	121,95,00,000	...	121,95,00,000
	Capital	353,05,00,000	353,05,00,000
49	Medical and Public Health Revenue	4,29,30,000	...	4,29,30,000
	Capital	87,76,000	...	87,76,000
53	Department of Personnel and Administrative Re- forms Revenue	10,92,000	...	10,92,000
56	Other Expenditure of the Ministry of Home Affairs Revenue	2,000	...	2,000
63	Industries Revenue	5,00,00,000	...	5,00,00,000
	Capital	20,00,000	...	20,00,000
64	Village and Small Industries Capital	4,50,00,000	...	4,50,00,000
82	Ports, Lighthouses and Shipping Capital	20,55,00,000	...	20,55,00,000
84	Department of Steel Capital	1,000	29,00,00,000	29,00,01,000
86	Mines and Minerals Capital	12,20,79,000	...	12,20,79,000
89	Department of Rehabilitation Revenue	3,86,00,000	...	3,86,00,000
100	Atomic Energy Research, Development and Indus- trial Projects Capital	5,00,00,000	...	5,00,00,000
105	Department of Space Capital	56,00,000	...	56,00,000
Total		535,31,56,000	407,06,15,000	942,37,71,000

Notification

LD/1884/78

The following Central Acts namely:— 1. The Merchant Shipping (Amendment) Act, 1978 (1 of 1978); 2. The Child Marriage Restraint (Amendment) Act, 1978 (2 of 1978) which were recently passed by the

Parliament and enacted to by the President of India on 13-3-1978 and published in the Gazette of India, Part II, Section I dated 14-3-1978 are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 17th April, 1978.

The Merchant Shipping (Amendment) Act, 1978

AN
ACT

further to amend the Merchant Shipping Act, 1958.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows: —

1. *Short title.* — This Act may be called the Merchant Shipping (Amendment) Act, 1978.

2. *Amendment of section 14.* — In section 14 of the Merchant Shipping Act, 1958⁴⁴ of 1958. (hereinafter referred to as the principal Act), after clause (b), the following clause shall be inserted, namely: —

“(bb) the amounts received by the said Committee on the issue and sale of bonds and debentures;”.

3. *Amendment of section 15.* — In sub-section (1) of section 15 of the principal Act, for the word “six”, the word “twelve” shall be substituted.

4. *Amendment of section 16.* — In section 16 of the principal Act, —

(i) in sub-section (1), for the words and figures “in any other form to persons of the description mentioned in section 21 for acquisition and maintenance of ships.”, the following shall be substituted, namely: —

“in any other form, —

(a) to persons of the description mentioned in section 21 —

(i) for the acquisition and maintenance of ships, including modification, reconstruction and renovation thereof; and

(ii) for meeting any short-term financial requirements;

(b) to Indian ship-yards for the construction of new ships.”;

(ii) for sub-section (2), the following sub-sections shall be substituted, namely: —

“(2) The Committee shall not grant any loan or give any financial assistance under sub-section (1) except on such terms and conditions as the Central Government may from time to time specify, and any such term may, if the loan or financial assistance is granted or given to a company, provide for the appointment by the Committee of one or more directors of such company and such provision and any appointment of directors made in pursuance thereof shall be valid and effective notwithstanding anything to the contrary contained in the Companies Act, 1956, or in any other law for the time being in force or in the memorandum, articles of association or any other instrument relating to the company and any provision regarding share qualification, age limit,

1 of 1956.

number of directorships; removal from office of director and such like conditions contained in any such law or instrument aforesaid, shall not apply to any director appointed by the Committee in pursuance of the term as aforesaid.

(2A) Any director appointed in pursuance of sub-section (2) shall, —

(a) hold office during the pleasure of the Committee and may be removed or substituted by any person by order in writing by the Committee;

(b) not incur any obligation or liability by reason only of his being a director or for anything done or omitted to be done in good faith in the discharge of his duties as a director or anything in relation thereto;

(c) not be liable to retirement by rotation and shall not be taken into account for computing the number of directors liable to such retirement.

(2B) Every director appointed by the Committee shall be indemnified by the Committee against all losses and expenses incurred by him in, or in relation to, the discharge of his duties, except such as are caused by his own wilful act or default.

(2C) No suit or other legal proceeding shall lie against any director appointed by the Committee for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any other law or provision having the force of law.”.

5. *Insertion of new section 16A.* — After section 16 of the principal Act, the following section shall be inserted, namely: —

“16A. *Borrowing powers.* — (1) The Committee may issue and sell bonds and debentures, with or without interest, for the purpose of carrying out the objects of the Fund.

(2) The bonds and debentures of the Committee shall be guaranteed by the Central Government as to the repayment of the principal and the payment of interest, at such rate as may be fixed by the Central Government on the recommendation of the Committee at the time the bonds and debentures are issued.”.

6. *Insertion of new section 17A.* — After section 17 of the principal Act, the following section shall be inserted and shall be deemed always to have been inserted, namely: —

“17A. *Exemption from liability to pay Income Tax and wealth-tax.* — Notwithstanding anything contained in any enactment for the time being in force relating to income-tax or wealth-tax, the Committee shall not be liable to pay —

(a) income-tax in respect of its income, profits or gains; and

(b) wealth-tax in respect of its net wealth.”.

7. *Amendment of section 18.* — In section 18 of the principal Act, for the words “and thereupon all the

property vested in the Committee shall vest in the Central Government.", the following shall be substituted, namely:—

"and thereupon—

(a) all the property vested in the Committee shall vest in the Central Government; and

(b) all the liabilities of the Committee shall become the liabilities of the Central Government."

8. *Amendment of section 19.*—In sub-section (2) of section 19 of the principal Act, after clause (f), the following clause shall be inserted, namely:—

"(ff) the manner and terms of issue, sale and redemption of bonds and debentures by the Committee;"

The Child Marriage Restraint (Amendment) Act, 1978

AN ACT

further to amend the Child Marriage Restraint Act, 1929, and to make certain consequential amendments in the Indian Christian Marriage Act, 1872, and the Hindu Marriage Act, 1955.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Child Marriage Restraint (Amendment) Act, 1978.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*—In section 2 of the Child Marriage Restraint Act, 1929 (hereinafter referred to as the principal Act), for clause (a), the following clause shall be substituted, namely:—

"(a) "child" means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age;"

3. *Insertion of new section 7.*—After section 6 of the principal Act, the following section shall be inserted, namely:—

"7. *Offences to be cognizable for certain purposes.*—The Code of Criminal Procedure, 1973, shall apply to offences under this Act as if they were cognizable offences—

(a) for the purpose of investigation of such offences; and

(b) for the purposes of matters other than (i) matters referred to in section 42 of that Code, and (ii) the arrest of a person without a warrant or without an order of a Magistrate."

4. *Amendment of section 8.*—In section 8 of the principal Act,—

(a) for the words and figures "Code of Criminal Procedure, 1898", the words 5 of 1898.

and figures "Code of Criminal Procedure, 1973" shall be substituted; 2 of 1974.

(b) for the words "Presidency Magistrate or a Magistrate of the first class", the words "Metropolitan Magistrate or a Judicial Magistrate of the first class" shall be substituted.

5. *Amendment of section 10.*—In section 10 of the principal Act, for the words and figures "Code of Criminal Procedure, 1898", the words and figures "Code of Criminal Procedure, 1973" shall be substituted. 5 of 1898. 2 of 1974.

6. *Amendment of certain enactments.*—The enactments specified in the Schedule are hereby amended in the manner mentioned therein.

THE SCHEDULE

[See section 6]

Year	No.	Short title	Amendments
(1)	(2)	(3)	(4)
1872	15	The Indian Christian Marriage Act, 1872.	In section 60,— (i) in condition number (1), for the words "eighteen years" and "fifteen years", the words "twenty-one years" and "eighteen years" shall respectively be substituted; (ii) the proviso shall be omitted.
1955	25	The Hindu Marriage Act, 1955.	(1) In section 5,— (i) in clause (iii), for the words "eighteen years" and "fifteen years", the words "twenty-one years" and "eighteen years" shall respectively be substituted; (ii) clause (vi) shall be omitted. (2) Section 6 shall be omitted. (3) In section 12, in sub-section (1), in clause (c), for the words and figure "is required under section 5", the words, figures and brackets "was required under section 5 as it stood immediately before the commencement of the Child Marriage Restraint (Amendment) Act, 1973" shall be substituted. (4) In section 18, (i) for the brackets, letters and word "(v) and (vi)", the word, brackets and letter "and (v)" shall be substituted; (ii) in clause (b), the word "and" occurring at the end shall be omitted; (iii) clause (c) shall be omitted.

Notification

LD/2177/78

The following Notifications received from the Government of India, Ministry of Works and Housing New Delhi are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).
Panaji, 2nd May, 1978.

GOVERNMENT OF INDIA

MINISTRY OF WORKS AND HOUSING
(NIRMAN AUR AWAS MANTRALAYA)

New Delhi, dated the 23rd March, 1978

Notification

G. S. R. — In exercise of the powers conferred by sub-section (4) of section 1, of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977), the Central Government hereby appoints the 1st day of April, 1978, as the day on which the said Act shall come into force.

(No. Q-17013/2/78-EPC)

Sd/-

(MIR NASRULLAH)

Joint Secretary to the Government of India.

New Delhi, dated the 23rd March, 1978

Notification

G. S. R. — In exercise of the powers conferred by sub-section (2) of Section 3, of the Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977), the Central Government hereby specifies that the rates of cess payable on the water consumed by—

- (a) any person carrying on any industry specified in Schedule I to the said Act; or
- (b) any local authority;

for the purposes specified in column (1) of the Table appended hereto shall be the rates specified in column (2) thereof.

THE TABLE

Purpose for which water is consumed (1)	Rate of cess (2)
1. Industrial cooling, spraying in mine pits or boiler feed.	Three-fourths of a paisa, per kilo litre.
2. Domestic purpose.	One paisa, per kilo litre.
3. Processing whereby water gets polluted and the pollutants are easily bio-degradable.	Two and a half paise per kilo litre.
4. Processing whereby water gets polluted and the pollutants are not easily bio-degradable and are toxic.	Two and a half paise per kilo litre.

No. Q-17013/2/78-EPC

Sd/-

(MIR NASRULLAH)

Joint Secretary to the Government of India.